APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,524	06/27/2001	Martin Boliek	074451.P134	5999

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Michael J. Mallie
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER
LIN, KELVIN Y

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _06 October 2004_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-38_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-38_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _27 June 2001_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _4/26/04_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 112

1.   Claims 10, and 36 have been rejected under 35 U.S.C. 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2.   Regarding claim 10, the phrase "byte map" renders the claim(s) indefinite because the claim include elements not actually disclosed, thereby rendering the scope of the claim unascertainable.

3.   Regarding claim 36, the words "resolution", "component", "layer", "precinct", and "tile", lacks clear metes and bounds.

4.   The above noted problems are not necessarily an exhaustive listing, but a meant to be exemplary of the types of errors present. It is incumbent upon an applicant to ensure that any amendment filed resolves all deficiencies and places the claims in compliance with 35 USC 112.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1-9, 13-28, 29(c), and 30-36, and 38 are rejected under 35 USC 102(e) as being anticipated by Guedalia (U.S. Patent 6535878).

7.   Claims 29(a), and 29(b) are rejected under 35 USC 102(e) as being anticipated by Fukuhara (U.S. PG Pub# 20010028404).

8.   Regarding claim 1, Guedalia teaches a client comprising:

- a memory having an application and a data structure stored therein, wherein the data structure identifies positions of the compressed codestream on a server and identifies data of the compressed codestream already buffered at the client, if any (Guedalia, col. 8, l. 26-33);

- a processor coupled to the memory to execute the application to generate a request for portions of the compressed codestream based on indications of which portions of the codestream are already stored in the memory as indicated by the data structure (Guedalia, col. 7, l. 1-35).

9.   Regarding claim 2, Guedalia further discloses the client defined in claim 1 wherein the processor creates a new codestream by integrating previously obtained portions of the compressed codestream within portions of the compressed codestream received as a result of the request, and the processor

updates markers for the new codesteram (Guedalia, col. 8, I.31-33).

10.   Regarding claim 3, Guedalia further discloses a system comprising: a

- server to store a compressed codestream corresponding to image

    data (Guedalia, col. 18, I. 2-4) ; and

- a client coupled to the server via a network environment, wherein

    the client includes a memory having an application and a data

    structure stored therein, wherein the data structure identifies

    positions of the compressed codestream on the server and

    identifies data of the compressed codestream already buffered at

    the client, if any, and further wherein the client requests bytes of the

    compressed codestream from the server that are not already

    stored in the memory and generates decoded image data

    requested by a user from the bytes of the compressed codestream

    requested from the server and any portion of the compressed

    codestream previously stored in the memory necessary to create

    the image data (Guedalia, col. 8, I. 26-33);

11.   Regarding claim 4, Guedalia further discloses the system defined in claim 3

    wherein the portions of the compressed codestream are selected from a group

    consisting of packets, tile parts, and coded data segments from a codebook

    (Guedalia, col. 3, I.46-49, col.5, I.42-43, col. 6, I.18-19);

12.   Regarding claim 5, Guedalia further discloses the system defined in claim 3

    wherein, when executing the application, the client determines image

characteristics that a user requests, selects data of a compressed codestream
that corresponds to the image characteristics, determines data of a compressed
codestream that corresponds to the image characteristics that is not already
buffered at the client, issues requests to the server to obtain the data of a
compressed codestream that corresponds to the image characteristics that is not
already buffered at the client, integrates data received from the server with any
previously buffered data of the compressed codestream that corresponds to the
image characteristics, decodes the data of the compressed codestream that
corresponds to the image characteristics, and displays an image corresponding
to the decoded compressed codestream. (Guedalia, col. 6, l. 59-67, col. 7, l.1-34,
col.9, l.1-15);

13.   Regarding claim 6, Guedalia further discloses the system defined in claim 3
        wherein the server serves byte requests (Guedalia, col. 5, l. 17-20, ".. serves
        HTML documents is treated as byte requests."

14.   Regarding claim 7, Guedalia further discloses the system defined in claim 3
        wherein the client further comprises a software decoder, and the client creates
        the compressed codestream for the software decoder by integrating bytes
        requested with previously obtained bytes (Guedalia, col. 18, l.15-22).

15.   Regarding claim 8, Guedalia further discloses the system defined in claim 3
        wherein the client determines the location and length of each packet (Guedalia,
        col. 7, l.14-15)..

16.   Regarding claim 9, Guedalia further discloses the system defined in claim 8

wherein the client requests a headerlength of a compressed file from the server

that includes one or more file format boxes and a main header of the codestream

box from which the client determines the location and length of each packet

(Guedalia, col. 3, l.22-26).

17.   Claims 14-21 have similar limitations as claims 5-11, and 13. Therefore,

Claims 14-21 are rejected under Guedalia and Fukuhara for the same reasons

set forth in the rejection of claims 5-11, and 13.

18.   Claims 22-28 have similar limitations as claims 5, 7-11, and 13. Therefore,

22-28 are rejected under Guedalia and Fukuhara for the same reasons set forth

in the rejection of claims 5-11, and 13.

19.   Regarding claim 29, Guedalia further discloses a method comprising:

        a) receiving requests for a codestream for a JPEG 2000 image
           (Fukuhara, [0028]);

        b) converting requested information to JPEG DCT compression
           (Fukuhara, [0012]); and

        c) sending converted requested information using the Internet
           Imaging Protocol (IIP) (Guedalia, col. 5, l.34-48).

20.   Regarding claim 30, Guedalia further discloses a method comprising:

- providing information to enable a client to determine image size and a maximum number of resolutions (Guedalia, col. 5, l.38-40);
- receiving a request for one or more tiles of a codestream of compressed data (Guedalia, col. 7, l.5-8), and
- parsing the codestream of compressed data to locate packets related to the request(Guedalia, col. 7, l.1-3),
- including packets for a requested tile at a resolution less than or equal to the resolution requested and all layers (Guedalia, col. 5, l.34-67).

21.   Regarding claim 31, Guedalia further discloses the method defined in claim 30

wherein packets located as a result of parsing includes all packets for a

requested tile at a resolution less than or equal to a resolution requested and all

layers (Guedalia, col. 5, I.34-67).

22.   Regarding claim 32, Guedalia further discloses the method defined in claim

30, where the information comprises an HTML document (Guedalia, col. 5, I.17-

20).

23.   Claim 33 has similar limitations as claim 32. Therefore, Claims 33 is rejected

under Guedalia for the same reasons set forth in the rejection of claims 32.

24.   Claim 34 has similar limitations as claim 30. Therefore, Claims 34 is rejected

under Guedalia for the same reasons set forth in the rejection of claims 30.

25.   Regarding claim 35, Guedalia further discloses the system defined in claim 34

wherein the request system includes component, layer and precinct information

(Guedalia, col. 7, I.10-15).

26.   Claims 36, and 38 have similar limitations as claim 35. Therefore, Claims 36-38

Are rejected under Guedalia for the same reasons set forth in the rejection of

claim 35.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

27.   Claims 10-13, 37 are rejected under 35 U.S.C 103(a) as being unpatentable

over Guedalia in view of Fukuhara et al., (US PG Pub# 20010028404).

28.   Regarding claims 10, and 13, Guedalia differs from the claimed invention in

that it does not explicitly indicate the two marker segments on the client side,

instead ".. Images are typically represented in one of two standard formats,

JPEG or GIF...." (Guedalia, col. 5, l.25-26). Fukuhara teaches a device similar

to that of Guedalia's and indicates that "..The ISO is now preparing the

JPEG2000 standard, to take the place of the aforementioned JPEG standard, as

the next-generation international standard for still pictures ..." (Fukuhara, [0004]).

With the compatible new standard JPEG2000, therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to

combine Guedalia's JPEG with Fukuhara's JPEG2000.

Regarding claim 11, Guedalia fails to teach the TLM and PLM maker segments.

Fukuhara teaches the TLM, and PLM maker segments on (Fukuhara, [0039]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to combine Guedalia's JPEG with Fukuhara's

JPEG2000, which provide the optimum encoding and decoding scheme : TLM,

and PLM and improve the picture performance (Fukuhara, [0039]).

29.   Regarding claim 12 has similar limitations as claim 11. Therefore, claim 12 is

rejected under Guedalia and Fukuhara for the same reasons set forth in the

rejection of claim 11.

30.   Regarding claim 37 has similar limitations as claim 13. Therefore, claim 37 is

rejected under Guedalia and Fukuhara for the same reasons set forth in the

rejection of claim 13.

Conclusion

The prior art made of record and not relied upon is considered pertinent to application's
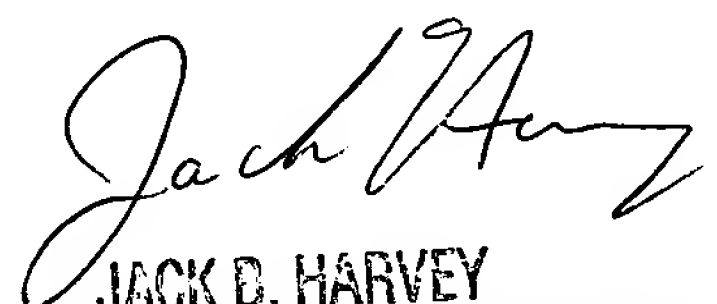
disclosure.

- Guedalia et al., (Patent No. 6356283) Method and System for HTML-
  Driven Interactive Image Client

- Blumberg Robert (Pataen No. 6708309) Method and System for Viewing
  Scalable Documents.

- Dekel et al., (US PG Pub #20020159653) System and Method for The
  Lossless Progressive Streaming of Images over a Communication
  Network.

- IEEE – Computer Society Press, "Thirteenth IEEE Symposium on Mass
  Storage Systems Storage – The Integration of Distributed File System
  and Mass Storage System", June 12-16, 1994, pp.27-31.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kelvin Lin whose telephone number is 703-605-1726.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Kyl
10/6/04

JACK D. HARVEY
SUPERVISORY PATENT EXAMINER